

# **EXHIBIT B**

JUL. 19. 2004 3:57PM

NO. 747 P. 2

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July 16, 2004

### **VIA FAX (212-918-3100 and 212-836-8689) AND MAIL**

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**Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation  
MDL No. 1456**

Dear Steve and Saul:

Pursuant to our several recent discussions, this will confirm that we have reached an impasse with respect to the deposition of Patricia Kay Morgan. Accordingly, Ms. Morgan and First DataBank, Inc. agree to submit to the jurisdiction of the United States District Court for the District of Massachusetts, where the above-referenced action is pending, for the purpose of allowing your clients to file a motion to compel with respect to the deposition.

Thank you for your courtesy and cooperation.

Very truly yours,

  
Robert J. Hawley

Cc: Eve Burton, Esq.  
Bcc: David A. Schulz, Esq.